

111TH CONGRESS  
1ST SESSION

# H. R. 737

To authorize a State to transfer or consolidate funds made available to such State under certain transportation, education, and job training programs after the United States experiences economic growth at an annual rate of less than 1 percent for 2 calendar quarters.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2009

Mr. HOEKSTRA (for himself, Mr. ROGERS of Michigan, Mr. McCOTTER, Mr. GALLEGLY, Mr. PAUL, Mr. WILSON of South Carolina, and Mr. LINDER) introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committees on Transportation and Infrastructure and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To authorize a State to transfer or consolidate funds made available to such State under certain transportation, education, and job training programs after the United States experiences economic growth at an annual rate of less than 1 percent for 2 calendar quarters.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “State Temporary Eco-  
5       nomic Priority (STEP) Act”.

1 **SEC. 2. PURPOSE.**

2 It is the purpose of this Act to authorize a State to  
3 transfer or consolidate funds made available to such State  
4 under certain transportation, education, and job training  
5 programs after the United States experiences economic  
6 growth at an annual rate of less than 1 percent for 2 cal-  
7 endar quarters.

8 **SEC. 3. AUTHORITY TO TRANSFER OR CONSOLIDATE CER-**  
9 **TAIN FUNDS.**

10 (a) **AUTHORITY AVAILABLE.—**

11 (1) **IN GENERAL.—**A State may transfer or  
12 consolidate funds under subsections (b), (c), and (d)  
13 beginning with the calendar quarter after the United  
14 States experiences economic growth at an annual  
15 rate of less than 1 percent for 2 calendar quarters  
16 and continuing until 18 months after the United  
17 States experiences economic growth at an annual  
18 rate of 1 percent or more for 2 calendar quarters.

19 (2) **TREATMENT OF TRANSFERRED OR CON-**  
20 **SOLIDATED FUNDS.—**Funds transferred or consoli-  
21 dated under subsections (b), (c), or (d) shall be used  
22 in accordance with the statutory and regulatory re-  
23 quirements applicable to the program to which the  
24 funds are transferred or consolidated.

25 (b) **TRANSPORTATION FUNDS.—**

1           (1) IN GENERAL.—In applying subsection (a), a  
2       State may transfer, in such amounts as the State  
3       determines appropriate, any funds apportioned and  
4       allocated to such State from amounts made available  
5       from the Highway Trust Fund (26 U.S.C. 9503 et  
6       seq.), other than the Mass Transit Account, to any  
7       of the apportionments and allocations for the fol-  
8       lowing programs authorized by title 23, United  
9       States Code:

10           (A) The interstate maintenance program  
11       under section 119.

12           (B) The National Highway System under  
13       section 103(b).

14           (C) The surface transportation program  
15       under section 133.

16           (D) The highway bridge replacement and  
17       rehabilitation program under section 144.

18       (2) EXEMPT TRANSPORTATION FUNDS.—The  
19       funds made available for the highway safety im-  
20       provement programs authorized by section 148 and  
21       chapter 4 of title 23, United States Code, shall not  
22       be subject to transfer or consolidation under sub-  
23       section (a).

24       (c) FEDERAL EDUCATION FUNDS.—In applying sub-  
25       section (a), a State may, in such amounts as the State

1 determines appropriate from any funds made available to  
2 such State under any formula grant programs carried out  
3 under any of the following provisions of the Elementary  
4 and Secondary Education Act of 1965 (20 U.S.C. 6301  
5 et seq.), transfer or consolidate such funds between and  
6 among such programs:

7 (1) Part A of title I (Improving Basic Pro-  
8 grams Operated by Local Educational Agencies).

9 (2) Subpart 1 of part B of title I (Reading  
10 First).

11 (3) Subpart 3 of part B of title I (William F.  
12 Goodling Even Start Family Literacy Programs).

13 (4) Subpart 4 of part B of title I (Improving  
14 Literacy Through School Libraries).

15 (5) Part C of title I (Education of Migratory  
16 Children).

17 (6) Part D of title I (Prevention and Interven-  
18 tion Programs for Children and Youth who are Ne-  
19 glected, Delinquent, or At-Risk).

20 (7) Part F of title I (Comprehensive School Re-  
21 form).

22 (8) Part H of title I (School Dropout Preven-  
23 tion).

1           (9) Subpart 1 of part A of title II (Teacher and  
2       Principal Training and Recruiting Fund (Grants to  
3       States)).

4           (10) Part B of title II (Mathematics and  
5       Science Partnerships).

6           (11) Part D of title II (Enhancing Education  
7       Through Technology).

8           (12) Part A of title III (English Language Ac-  
9       quisition, Language Enhancement, and Academic  
10      Achievement).

11          (13) Part A of title IV (Safe and Drug-Free  
12      Schools and Communities).

13          (14) Part B of title IV (21st Century Commu-  
14      nity Learning Centers).

15          (15) Subpart 2 of part A of title V (Innovative  
16      Programs (State Programs)).

17          (16) Subpart 1 of part A of title VI (Improving  
18      Academic Achievement (Accountability)).

19      (d) JOB TRAINING FUNDS.—In applying subsection  
20   (a), a State may, in such amounts as the State determines  
21   appropriate from any funds made available to such State  
22   under the following job training programs, transfer or con-  
23   solidate such funds between and among such programs:

1           (1) Any formula grant program carried out  
2           under the Workforce Investment Act of 1998 (29  
3           U.S.C. 2801 et seq.).

4           (2) Any funds made available to the State  
5           under part II of subchapter B of chapter 2 of title  
6           II of the Trade Act of 1974 (19 U.S.C. 2295 et  
7           seq.).

8           (e) DEFINITIONS.—In this Act—

9           (1) the phrase “economic growth at an annual  
10          rate of less than 1 percent for 2 calendar quarters”  
11          means, that for 2 consecutive calendar quarters, real  
12          gross domestic product, as announced by Bureau of  
13          Economic Analysis of the Department of Commerce,  
14          has experienced—

15                (A) an annual rate of decrease for such  
16                quarters;

17                (B) no change in the annual rate for such  
18                quarters; or

19                (C) an increase at an annual rate of less  
20                than 1 percent for such quarters; and

21          (2) the phrase “economic growth at an annual  
22          rate of 1 percent or more for 2 calendar quarters”  
23          means an increase in real gross domestic product at  
24          an annual rate of 1 percent or more for 2 consecu-  
25          tive calendar quarters, as announced by the Bureau

1 of Economic Analysis of the Department of Com-  
2 merce for such quarters.

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